

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY, CALIFORNIA  
AND RECORD OF ACTION**

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February 25, 2003

**FROM:**       **GARY PENROD**, Sheriff  
                  Sheriff's Department

**MARCEL TURNER**, Director  
                  Human Resources

**SUBJECT:    AMENDMENT TO THE 2001-2004 MEMORANDUM OF UNDERSTANDING  
                  WITH SAN BERNARDINO PUBLIC EMPLOYEES ASSOCIATION**

**RECOMMENDATION:**

1. Approve Amendment #5 to the 2001-2004 Memorandum of Understanding between the County of San Bernardino and the San Bernardino Public Employees Association (SBPEA) to establish new rates of pay, effective August 24, 2002, for the Sheriff's Supervising Communications Dispatcher and Sheriff's Communications Dispatcher II.
2. Authorize use of Contingencies and approve appropriation adjustment, in the amount of \$101,710, to transfer funding to the Sheriff's Department FY02/03 Budget as detailed under Financial Impact below. (Four votes required)

**BACKGROUND INFORMATION:** The Sheriff's Department has experienced difficulty in recruiting and retaining interested and qualified individuals to staff its emergency communications centers. These recruitment and retention difficulties, particularly in the Sheriff's Communications Dispatcher II and Sheriff's Supervising Communications Dispatcher classifications, have significantly increased the burden on existing employees in these classifications to accomplish the work through frequent overtime requests. This increased burden on existing employees has led to internal pay inequities which have further impacted the ability of the Department to adequately staff its emergency communications centers. Additionally, disputed issues pertaining to overtime, which have been the subject of the Carlson FLSA lawsuit, have been resolved, in part, by this Amendment.

Currently, a twelve and one-half percent (12 ½%) salary difference exists between the Sheriff's Supervising Communications Dispatcher and the Sheriff's Communications Dispatcher II classifications. However, given that the Dispatcher IIs work considerable overtime hours and receive overtime at one and one-half (1 ½) times their regular rate of pay as provided for under the FLSA; and, given the Supervising Dispatchers do not receive overtime as they are exempt from the FLSA; the Communications Dispatcher IIs can make as much or more as the Supervising Communications Dispatchers. Consequently, employees in the Communications Dispatcher II classification have been reluctant to seek promotion into Supervising Communications Dispatcher positions.

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Record of Action of the Board of Supervisors

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**BOARD OF SUPERVISORS**  
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Similarly, a sufficient wage differential does not exist between the Dispatcher I and Dispatcher II classifications. As a result, the Department has been unable to attract and encourage Dispatcher Is to seek promotion into or remain in the Dispatcher II classification.

The Sheriff's Department and Human Resources, in order to remedy these pay inequities and to address the recruitment and retention difficulties in these two classifications, are seeking to increase the pay differential between the Dispatcher I and Dispatcher II classifications by an additional five percent (5%) and also increase the differential between the Dispatcher II and Supervising Dispatcher classifications by an additional seven and one-half percent (7 ½%). As such, the salary rate for the Sheriff's Supervising Communications Dispatcher classification shall be changed from Range 48 (\$36,899 – \$47,133 per year) to Range 51 (\$39,707 - \$50,648 per year) and the salary rate for the Sheriff's Communications Dispatcher IIs shall be changed from Range 43 (\$32,656 - \$41,704 per year) to Range 45 (\$34,278 – \$43,784 per year). Because this proposed change impacts the wages of SBPEA-represented employees, representatives of the County and SBPEA met and conferred on this issue. Those meetings resulted in an agreement to amend the existing Memorandum of Understanding to reflect the proposed wage adjustments.

There are currently 12 Sheriff's Supervising Communications Dispatchers and 62 Sheriff's Communication Dispatcher IIs affected by this amendment.

**REVIEW BY OTHERS:** The proposed action has been reviewed and approved as to legal form by County Counsel (Ruth Stringer, Chief Deputy County Counsel) on February 14, 2003; has been reviewed by Human Resources (Elizabeth Sanchez, Employment Division Chief) on February 14, 2003; and the County Administrative Office (Mario Lara, Administrative Analyst) on February 14, 2003.

**FINANCIAL IMPACT:** The estimated cost of these pay increases for this fiscal year is \$145,300. Of that amount 70% (\$101,710) is local cost, the remaining 30% (\$43,590) is recovered through the Department's law enforcement contracts. Requested increase in appropriations to the Sheriff's Department Budget for FY02/03 is as follows:

Increase	AAA-SHR-SHR 100 1010	Regular Salary	\$101,710
Decrease	AAA-CNR-CNR 600 6000	Appropriation for Contingencies	\$101,710

The estimated increase in local cost for next fiscal year is \$146,000, and will be included in the Sheriff's Proposed Budget for FY03/04.

**SUPERVISORIAL DISTRICT(S):** All

**PRESENTER:** Elizabeth Sanchez, 387-6051

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